

AN ACT

relating to the competitive bidding and notice requirements for contracts of certain mass transportation authorities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 451.110(c), Transportation Code, is amended to read as follows:

(c) Subsection (a) does not apply to a contract for:

- (1) \$50,000 [~~\$25,000~~] or less;
- (2) the purchase of real property;
- (3) personal or professional services; or
- (4) the acquisition of an existing transit system.

SECTION 2. Section 451.111(a), Transportation Code, is amended to read as follows:

(a) Except as provided by Subchapter Q, unless the posting requirement in Subsection (b) is satisfied, a board may not let a contract that is:

- (1) for more than \$50,000 [~~\$25,000~~]; and
- (2) for:

- (A) the purchase of real property; or
- (B) consulting or professional services.

SECTION 3. Section 452.107(c), Transportation Code, is amended to read as follows:

(c) The executive committee may authorize the negotiation of a contract without competitive sealed bids or proposals if:

1 (1) the aggregate amount involved in the contract is
2 \$50,000 [~~\$25,000~~] or less;

3 (2) the contract is for construction for which not
4 more than one bid or proposal is received;

5 (3) the contract is for services or property for which
6 there is only one source or for which it is otherwise impracticable
7 to obtain competition;

8 (4) the contract is to respond to an emergency for
9 which the public exigency does not permit the delay incident to the
10 competitive process;

11 (5) the contract is for personal or professional
12 services or services for which competitive bidding is precluded by
13 law; or

14 (6) the contract, without regard to form and which may
15 include bonds, notes, loan agreements, or other obligations, is for
16 the purpose of borrowing money or is a part of a transaction
17 relating to the borrowing of money, including:

18 (A) a credit support agreement, such as a line or
19 letter of credit or other debt guaranty;


20 (B) a bond, note, debt sale or purchase, trustee,
21 paying agent, remarketing agent, indexing agent, or similar
22 agreement;

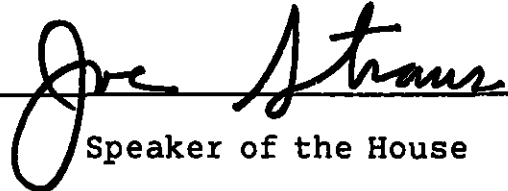
23 (C) an agreement with a securities dealer or
24 investment adviser, broker, or underwriter; and

25 (D) any other contract or agreement considered by
26 the executive committee to be appropriate or necessary in support
27 of the authority's financing activities.

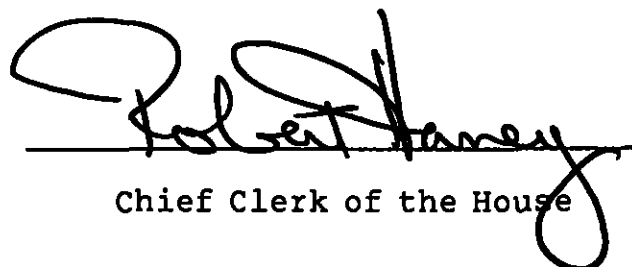
1 SECTION 4. The change in law made by this Act applies only
2 to a contract for which a regional transportation authority or
3 metropolitan rapid transit authority first advertises or otherwise
4 solicits bids or proposals on or after the effective date of this
5 Act.

6 SECTION 5. This Act takes effect September 1, 2011.


President of the Senate

H.B. No. 2325

Speaker of the House

I certify that H.B. No. 2325 was passed by the House on April 21, 2011, by the following vote: Yeas 148, Nays 0, 1 present, not voting.


Chief Clerk of the House

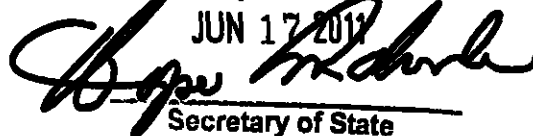
I certify that H.B. No. 2325 was passed by the Senate on May 24, 2011, by the following vote: Yeas 30, Nays 0, 1 present, not voting.


Secretary of the Senate

APPROVED: 17 JUN '11

Date


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:00pm O'CLOCK
JUN 17 2011

Secretary of State